

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)
) Bankruptcy Case No. 08-35653-KRH
CIRCUIT CITY STORES, INC., et al.,) Jointly Administered
) Chapter 11
Debtors.) Hon. Kevin R. Huennekens
)

MOTION FOR ADMISSION TO PRACTICE PRO HAC VICE

Neil E. McCullagh moves this Court for an Order permitting Stephen T. Loden to represent Marblegate Asset Management, LLC (“Marblegate”), *pro hac vice* in the above-styled bankruptcy cases and any related adversary litigation and in support of his Motion states as follows:

1. I am a member in good standing of the Bar of the Commonwealth of Virginia and the United States Bankruptcy Court for the Eastern District of Virginia. I will be associated with Stephen T. Loden in this matter. My business address and bar number are as follows:

Neil E. McCullagh (VSB #39027)
Spotts Fain PC
411 E. Franklin Street, Suite 600
Richmond, VA 23219

2. Stephen T. Loden is a member in good standing of the Bar of the State of Texas, the state of his residence, as well as the Bar of the State of New York, and is admitted to practice before the United States Courts of Appeal for the Fifth, Tenth and Eleventh Circuits and in the United States District Courts for the Southern District of New York, the Southern and Northern Districts of Texas, the District of Colorado and the Northern District of Georgia. His business address is:

Neil M. McCullagh, Esquire (VSB #39027)
Jennifer J. West, Esquire (VSB #47522)
Erin E. Kessel, Esquire (VSB #65360)
Spotts Fain PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Tel: (804) 697-2000 Fax: (804) 697-2100
Counsel for Marblegate Asset Management, LLC

Diamond McCarthy, LLP
Two Houston Center
909 Fannin Street, Suite 1500
Houston, Texas 77010

3. Stephen T. Loden has not been the subject of disciplinary action by the Bar or courts of the State of Texas, or any other state or any Federal Court.

4. Stephen T. Loden has not been denied admission to the courts of any state or to any federal court.

5. Stephen T. Loden is familiar with the Federal Rules of Civil Procedure. He will become familiar with and at all times abide by the Local Rules of this Court and comply with those Rules so long as this cause is pending.

6. Stephen T. Loden respectfully requests that he be allowed to appear before this Court to represent the interests of Marblegate.

WHEREFORE, Neil E. McCullagh prays that this Court grant his Motion to permit Stephen T. Loden to represent Marblegate, *pro hac vice* in this action, to shorten the notice period required pursuant to Rule 9013-1 for such Motion, and for such other and further relief as this Court deems just and proper.

MARBLEGATE ASSET MANAGEMENT, LLC

By: /s/ Neil E. McCullagh
Counsel

Neil E. McCullagh, Esquire (VSB #39027)
Jennifer J. West, Esquire (VSB #47522)
Erin E. Kessel, Esquire (VSB #65360)
Spotts Fain PC
411 East Franklin Street, Suite 600
Richmond, Virginia 23219
Phone: (804) 697-2000
Fax: (804) 697-2100

OF COUNSEL:

/s/ Steven T. Loden (by Neil E. McCullagh with authorization)

Stephen T. Loden, Esquire (TX Bar # 24002489)

Diamond McCarthy, LLP

Two Houston Center

909 Fannin Street, Suite 1500

Houston, Texas 77010

Phone: (713) 333-5100

Fax: (713) 333-5199

Counsel for Marblegate Asset Management, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served by U.S. Mail, First Class, postage prepaid or electronic means on this the 13th day of November, 2009 to the following constituting all necessary parties:

Daniel F. Blanks
Douglas M. Foley
McGuireWoods LLP
9000 World Trade Center,
101 W. Main Street
Norfolk, VA 23510

Dion W. Hayes
Joseph S. Sheerin
Sarah Beckett Boehm
McGuireWoods LLP
One James Center
901 E. Cary Street
Richmond, VA 23219

Robert B. Van Arsdale
Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

Gregg Galardi
Skadden Arps Slate Meagher & Flom LLP
One Rodney Square
Box 636
Wilmington, DE 19899

Brad R. Godshall
Jeffrey N. Pomerantz
Pachulski Stang Ziehl & Jones LLP
10100 Santa Monica Blvd., 11th Floor
Los Angeles, CA 90067

John D. Fiero
Pachulski Stang Ziehl & Jones LLP
150 California Street, 15th Floor
San Francisco, CA 94111

Lynn L. Tavenner
Paula S. Beran
Tavenner & Beran, PLC
20 North Eighth Street, 2nd Floor
Richmond, VA 23219

Robert J. Feinstein
Pachulski Stang Ziehl & Jones LLP
780 Third Ave., 36th Floor
New York, NY 10017

/s/ Neil E. McCullagh